

REMARKS

Reconsideration and timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the outstanding Final Office Action of August 5, 2004, the Examiner rejected claims 1-4 and 11-18, under 35 U.S.C. §102(b), as being anticipated by Yasukohchi '837 (U.S. Patent No. 6,278,837).

By this Amendment, independent claims 1-4 have been amended to provide a clearer presentation of the present invention. Applicants submit that no new matter has been introduced. Applicants further note that claims 5-10 were cancelled and dependent claims 11-18 were previously presented in the Amendment filed May 10, 2004. Accordingly, after entry of this Amendment, independent claims 1-4 and dependent claims 11-18 will remain pending.

Regarding the §102(b) rejections of independent claims 1-4 and 11-18, Applicants submit that amended independent claims 1-4 positively and clearly recite that the disk-shaped recording medium includes an object area in which object data constituting programs are recorded and a management area in which management data is recorded. The claims further recite that the object data on a first program and object data on a second program are alternately recorded in the object area of the recording medium in a manner that enables continuous data reproduction. Also, claims recite that the management data for managing data reproduction is recorded in the management area of the disk-shaped recording medium.

Applicants respectfully submit that there is nothing in the Yasukohchi '837 reference that teaches or suggests these combination of features. Moreover, as best understood, there is nothing in any of the references of record that disclose these combination of features. As such, the Yasukohchi '837 reference, whether taken alone, or in any reasonable combination with other references of record cannot be construed as anticipating or, for that matter, rendering independent claims 1-4 unpatentable.

Furthermore, because claims 11-18 depend, in one way or another, from claims 1-4, claims 11-18 are patentable for at least the reasons presented with respect to claims 1-4, as well as for their additional recitations.

For the reasons discussed above, Applicants submit that pending claims 1-4 and 11-18 are patentably distinguishable over all the references of record. Accordingly, reconsideration of the pending claims and withdrawal of the prior art rejections, under 35 U.S.C. §102(b), is respectfully requested.

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of pending claims 1-4 and 11-18. Applicant's Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter.

If there are any fees due for entry of this submission that are not otherwise accounted for, the Applicant asks that any such fees be charged to our Deposit Account No. 03-3975, with reference to Order No. 008312/0273762.

Respectfully submitted,

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